



LAW OFFICES OF MIRIAM HISER  
MIRIAM HISER (129824)  
550 Montgomery Street, Suite 650  
San Francisco, California 94111  
Telephone: (415) 345-9234  
Facsimile: (415) 395-9372  
[mhiser@hiserlaw.com](mailto:mhiser@hiserlaw.com)

Signed and Filed: August 22, 2023

A handwritten signature in cursive script, reading "Dennis Montali", is written over a horizontal line.

Attorney for Defendant Stuart Schoenmann, DENNIS MONTALI  
Executor of the Probate Estate of Donn R. U.S. Bankruptcy Judge  
Schoenmann

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re:

E. LYNN SCHOENMANN,  
Debtor.

Case No. 22-30028 (DM)

Chapter 11

Adversary Proceeding No. 23-03017

E. LYNN SCHOENMANN,  
Plaintiff,

v.

STUART SCHOENMANN, as Executor of  
the Probate Estate of Donn Schoenmann,  
Defendant.

**ORDER**

**Date: August 11, 2023**  
**Time: 10:30 a.m.**  
**Judge: Hon. Dennis Montali**

On August 11, 2023, Debtor's Motion to Determine Costs and Interests Under Section 363(j) came on for hearing. Michael St. James appeared on behalf of Plaintiff and Debtor E. Lynn Schoenmann. Miriam Hiser appeared on behalf of Stuart Schoenmann, Executor of the Probate Estate of Donn R. Schoenman and Defendant herein ("Defendant").

Debtor's request for reimbursement of \$110,535.08 for "Improvements" to the 39 Ethel Property is denied. Counsel for Defendant is authorized promptly to disburse the following amounts from the \$1,066,115.94, net proceeds of sale of the 39 Ethel Property currently held in her Hiser Law Attorney – Trust Account #8441:

1 (1) \$1647 to the Trust Account of Michael St. James [representing: (a) \$814 for final  
2 reconciliation of sale proceeds between Defendant and the bankruptcy estate; (b) \$2,333 for  
3 additional staging costs not paid from escrow; and (c) minus a hold back of \$1,500, representing  
4 the Probate Estate's one-half share of \$3,000 overpayment made from escrow to the Bridge  
5 Lender at closing, which \$3,000 was remitted to the Trust Account of Michael St. James by the  
6 escrow agent]; and

7 (2) \$1,064,468.94 to Defendant the Probate Estate.

8 \*\*\* END OF ORDER\*\*\*

9 Approved as to Form:

10  
11 ST. JAMES LAW, PC.

12 By: Michael St. James  
13 Michael St. James  
14 Attorney for Debtor  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Court Service List

No service required.